

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:05CR3099
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
KELVIN R. LYONS and)	
MICHAEL C. ELMA,)	
)	
Defendants.)	

This matter is before the court on the Magistrate Judge's Report and Recommendation (filing 42) and the objections to the Report and Recommendation (filings 43 & 44), filed as allowed by 28 U.S.C. § 636(b)(1)(A) and NECrimR 57.3.

I have conducted, pursuant to 28 U.S.C. § 636(b)(1) and NECrimR 57.3, a de novo review of the portions of the Report and Recommendation to which objections have been made. Inasmuch as Judge Piester has fully, carefully, and correctly applied the law to the facts, I conclude that the Report and Recommendation (filing 42) should be adopted, Defendants' objections to the Report and Recommendation (filings 43 & 44) should be denied, and Defendants' motions to suppress (filings 24 and 32) should be denied.

Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Recommendation (filing 42) is adopted;

2. Defendants' objections to the Recommendation (filing 43 [Elma] & filing 44 [Lyons]) are denied; and

3. Defendants motions to suppress (filings 24 [Lyons] & 32[Elma]) are denied.

March 10, 2006.

BY THE COURT:

s/Richard G. Kopf
United States District Judge